

## REMARKS

Claims 1-21 remain pending.

The independent Claims 1 and 20 have been amended to be clearer. Support for the amendments is provided in Figs. 3-5 and the corresponding description in the specification.

Figs. 3-5 illustrate an embodiment of the claimed invention, where icons representing hidden elements are displayed to the player along with the identification of the elements themselves, separate from the icons. The arrangement of the displayed elements is such that the player cannot determine which icon represents which displayed element. By displaying the elements before the player selects an icon, different risk-reward strategies can be used by the player when selecting an icon. After the player's selection of an icon, the hidden element is revealed, and at least one of the displayed elements is changed.

There are many embodiments of the game, claimed in the dependent claims.

The examiner rejected all claims as being anticipated by Hughs-Baird (US 6,439,995). This rejection was based on an unintended broad construction of the claims.

In Hughs-Baird, only the icons with the hidden elements are displayed to the player until the player selects one of the icons. (e.g., see col. 6, lines 47-54.) The elements represented by the icons are not displayed concurrently with the icons before an icon is selected by the player.

Claims 1 and 20 have been amended to recite (added language underlined), "concurrently with displaying the plurality of icons, displaying the elements to a player, before an icon is selected by the player, without identifying which icons are associated with the elements, where the elements are displayed separated from the icons."

The examiner equated the display of the elements in Hugh-Baird **after** the player selected the icon with Applicant's display of the elements. The amendment makes clear that the claimed elements are displayed **before** the icon is selected.

It is respectfully submitted that original Claims 1 and 20 were also distinguished from Hugh-Baird, since original Claims 1 and 20 recited that the elements were displayed "without identifying which icons are associated with the elements." However, in Hughs-Baird, the

elements are displayed in the icon position after the player selected the icon. Therefore, in Hughes-Baird, a selected element was displayed by identifying which icon was associated with the element, in contrast with the original Claims 1 and 20.

The dependent claims are believed to be allowable for at least the reasons for why the independent claims are allowable.

Should the Examiner have any questions, please call the undersigned at (408) 382-0480 x202.

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/Brian D Ogonowsky/  
Attorney for Applicant(s)

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Date of Signature

Respectfully submitted,

/Brian D Ogonowsky/

Brian D. Ogonowsky  
Attorney for Applicant(s)  
Reg. No. 31,988  
Patent Law Group LLP  
2635 N. First St.  
Suite 223  
San Jose, CA 95134  
Tel (408) 382-0480 x202  
Fax (408) 382-0481